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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,975	11/26/2003	Graeme Colin McKinnon	132156	9041

7590 04/15/2005

Patrick W. Rasche
Armstrong Teasdale LLP
Suite 2600
One Metropolitan Square
St. Louis, MO 63102

EXAMINER

ARANA, LOUIS M

ART UNIT	PAPER NUMBER
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2859

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

11A

Office Action Summary	Application No. 10/722,975	Applicant(s) MCKINNON, GRAEME COLIN	
	Examiner Louis M. Arana	Art Unit 2859	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-8, 10, 11, 13-17 and 20-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-7, 14-17 and 26 is/are allowed.
- 6) ☒ Claim(s) 3, 8, 10, 11, 13, 20 and 23-25 is/are rejected.
- 7) ☒ Claim(s) 21-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to amendment and remarks dated 1/20/05. Claims 3-8, 10-11, 13-17, 20-26 are currently pending in this application. Claims 1-2, 9, 12 and 18-19 have been cancelled.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 3, 8, 10-11, 13, 20 and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Arz et al. P.N. 6,51 5,479 (Arz).

Arz discloses a switchable gradient coil for a MRI apparatus. The coil as described in connection with Fig. 2 features a number of independently drivable coil elements. The coil elements can be driven individually or in winding packets. The coil system has selectable performance features among which are the linearity volume or FOV. One of the modes of operation of the coil system (see e.g. claim 2) involves reversing the current flow in a set of windings. This mode of operation corresponds one of the modes as claimed where in one mode the fields add and in the other the fields subtract producing two corresponding fields of view. Arz meets all the limitations of the claims at issue.

Response to Arguments

4. Applicant's arguments filed 1/20/05 with respect to claims 3, 8, 10-11, 13, 20 and 23-25 have been fully considered but they are not persuasive. Applicant does not

evaluate the teachings and contents of Arz in their proper context. Because Lorentz forces are reduced as would be expected when the overall field is low, it is erroneous to infer that this is the purpose of reversing the current in Arz. Clearly the "among other things" refers to the selectable performance features mentioned in the immediately preceding paragraph. Applicant takes a position in the same spirit, with respect to the "computer readable medium", stating that Arz could switch the coils by hand. While applicant is correct in pointing out that a computer is not mentioned by Arz, it would not be difficult at all to infer that one is present as their use is conventional in MRI machines. Such computers are generally used to control all aspects of imaging including among other things driving the gradient coils.

Allowable Subject Matter

5. Claims 4-7, 14-17 and 26 are allowed.
6. Claims 21-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. Applicant's arguments, filed 1/20/05, with respect to claims 4-7, 14-17 have been fully considered and are persuasive. The rejection of claims 4-7, 14-17 has been withdrawn.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis M. Arana whose telephone number is (571) 272-2236. The examiner can normally be reached on M-Thurs. Fridays Off.

Art Unit: 2859

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. Gutierrez can be reached on (703) 308-3875. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Louis M. Arana
Primary Examiner
Art Unit 2859

Ima
4/14/05